

## STATE OF MINNESOTA

## NINETY-FIRST SESSION — 2019

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 SECOND DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 10, 2019

The House of Representatives convened at 11:30 a.m. and was called to order by Melissa Hortman, Speaker of the House.

Prayer was offered by the Reverend John Straiton, St. Andrew's Lutheran Church, Mahtomedi, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The Speaker administered the oath of office to the new House member, Robert Bierman, from District 57A. His certificate of election and the signed statement of his oath were filed with the Chief Clerk.

The roll was called and the following members were present:

Acomb	Davnie	Hausman	Lippert	Noor	Scott
Albright	Dehn	Heinrich	Lislegard	Nornes	Stephenson
Anderson	Demuth	Heintzeman	Loeffler	O'Driscoll	Sundin
Backer	Dettmer	Her	Long	Olson	Swedzinski
Bahner	Drazkowski	Hertaus	Lucero	O'Neill	Tabke
Bahr	Ecklund	Hornstein	Lueck	Pelowski	Theis
Baker	Edelson	Howard	Mahoney	Persell	Torkelson
Becker-Finn	Elkins	Huot	Mann	Petersburg	Urdahl
Bennett	Erickson	Johnson	Mariani	Pierson	Vang
Bernardy	Fabian	Jurgens	Marquart	Pinto	Vogel
Bierman	Fischer	Kiel	Masin	Poppe	Wagenius
Boe	Franson	Klevorn	McDonald	Poston	Wazlawik
Brand	Freiberg	Koegel	Mekeland	Pryor	West
Cantrell	Gomez	Kotzya-Witthuhn	Miller	Quam	Winkler
Carlson, A.	Green	Koznick	Moller	Rarick	Wolgamott
Carlson, L.	Grossell	Kunesh-Podein	Moran	Richardson	Xiong, J.
Christensen	Gruenhagen	Layman	Morrison	Robbins	Xiong, T.
Clafin	Gunther	Lee	Munson	Runbeck	Youakim
Considine	Halverson	Lesch	Murphy	Sandell	Zerwas
Daniels	Hamilton	Liebling	Nash	Sandstede	Spk. Hortman
Daudt	Hansen	Lien	Nelson	Sauke	
Davids	Hassan	Lillie	Neu	Schultz	

A quorum was present.

Garofalo, Haley, Kresha and Schomacker were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

### **INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Kotyza-Witthuhn, Pinto, Liebling, Davnie, Youakim, Olson, Bahner, Howard, Christensen, Lippert, Gomez, Schultz, Cantrell, Hornstein, Long, Persell, Halverson, Kunesh-Podein, Mariani, Freiberg, Sandell, Wazlawik, Noor, Hortman, Winkler, Pryor, Lee, Wolgamott, Huot, Lislegard, Sundin, Lesch, Ecklund and Lillie introduced:

H. F. No. 1, A bill for an act relating to early childhood; creating additional funding and opportunities for children ages birth to three; governing certain programs and funding for prenatal care services, home visiting, early childhood education, and child care assistance; appropriating money; amending Minnesota Statutes 2018, sections 119B.13, subdivision 1; 124D.151, subdivision 6; 126C.05, subdivision 1; 145.928, subdivisions 1, 7; Laws 2017, First Special Session chapter 5, article 8, section 8; proposing coding for new law in Minnesota Statutes, chapters 16A; 145.

The bill was read for the first time and referred to the Committee on Ways and Means.

Edelson, Christensen, Davnie, Youakim, Mariani, Lillie, Mann, Schultz, Loeffler, Hornstein, Bahner, Cantrell, Howard, Long, Lippert, Gomez, Pinto, Persell, Liebling, Kunesh-Podein, Halverson, Becker-Finn, Freiberg, Sandell, Wazlawik, Noor, Hortman, Winkler, Pryor, Lee, Wolgamott, Huot, Lislegard, Sundin and Ecklund introduced:

H. F. No. 2, A bill for an act relating to education finance; increasing funding for school-linked mental health services grants; providing funding for full-service community schools; extending funding for support our students grants; funding the homework starts with home program; increasing funding for the collaborative urban educator program; appropriating money; amending Minnesota Statutes 2018, section 245.4889, subdivision 1, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Ways and Means.

Liebling; Moran; Schultz; Loeffler; Morrison; Sandell; Lillie; Christensen; Xiong, J.; Xiong, T.; Lippert; Gomez; Hornstein; Bahner; Becker-Finn; Sauke; Cantrell; Davnie; Howard; Long; Persell; Pinto; Kunesh-Podein; Mariani; Hansen; Freiberg; Noor; Hortman; Winkler; Lee; Wolgamott; Klevorn; Acomb; Huot and Lislegard introduced:

H. F. No. 3, A bill for an act relating to health care; requiring the commissioners of human services and commerce to seek federal waivers to permit individuals whose income is greater than the income eligibility limit for MinnesotaCare to purchase coverage through MinnesotaCare through a MinnesotaCare purchase option; requiring a proposal to the legislature.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Lesch; Moran; Liebling; Cantrell; Persell; Wazlawik; Noor; Hortman; Winkler; Lee; Schultz; Wolgamott; Acomb; Klevorn; Huot; Lislegard; Sundin; Ecklund; Olson; Lillie; Hausman; Morrison; Stephenson; Carlson, A.; Gomez; Vang; Kunesh-Podein; Xiong, T.; Long; Howard; Her; Bahner; Claflin and Sauke introduced:

H. F. No. 4, A bill for an act relating to health; prohibiting a manufacturer or wholesale drug distributor from price gouging; allowing the Board of Pharmacy, the commissioner of human services, and health plan companies to notify the attorney general of certain prescription drug price increases; authorizing the attorney general to obtain drug pricing information and take action against drug manufacturers and wholesalers related to certain price increases; imposing civil penalties; amending Minnesota Statutes 2018, sections 8.31, subdivision 1; 151.071, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapter 151.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Halverson; Richardson; Sauke; Olson; Moran; Persell; Lillie; Morrison; Elkins; Lippert; Gomez; Carlson, A.; Vang; Howard; Schultz; Noor; Her; Cantrell; Claflin; Hansen; Bahner; Wolgamott; Mann; Long; Wagenius; Hortman; Kunesh-Podein; Carlson, L.; Hornstein; Lee; Hassan; Pinto; Pryor and Winkler introduced:

H. F. No. 5, A bill for an act relating to employment; providing for paid family, pregnancy, bonding, and applicant's serious medical condition benefits; regulating and requiring certain employment leaves; classifying certain data; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2018, sections 13.719, by adding a subdivision; 177.27, subdivision 4; 181.943; 256J.561, by adding a subdivision; 256J.95, subdivisions 3, 11; 256P.01, subdivision 3; 268.047, subdivision 2; 268.19, subdivision 1; 290.0132, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 268B.

The bill was read for the first time and referred to the Committee on Labor.

Mahoney, Garofalo, Halverson, Nelson, Gunther, Huot, Mariani, Sundin, Claflin, Ecklund, Freiberg, Sandell, Wazlawik, Noor, Cantrell, Hortman, Winkler, Lee, Pinto, Schultz, Wolgamott, Lislegard, Lesch, Olson, Lillie, Persell, Hausman, Fischer, Elkins, Gomez, Morrison, Lippert, Mann and Howard introduced:

H. F. No. 6, A bill for an act relating to employment; prohibiting wage theft; modifying payment of wages; increasing civil and criminal penalties; allowing for administrative review; appropriating money; amending Minnesota Statutes 2018, sections 177.27, subdivision 2, by adding a subdivision; 177.30; 177.32, subdivision 1; 181.03, subdivision 1, by adding subdivisions; 181.032; 181.101.

The bill was read for the first time and referred to the Committee on Labor.

Ecklund; Layman; Sandstede; Sundin; Lueck; Baker; Davids; Lislegard; Sandell; Wazlawik; Noor; Cantrell; Hortman; Winkler; Lee; Schultz; Wolgamott; Huot; Lesch; Olson; Lillie; Persell; Fischer; Nelson; Gomez; Elkins; Brand; Lippert; Morrison; Carlson, A.; Mann; Kunesh-Podein; Long and Her introduced:

H. F. No. 7, A bill for an act relating to telecommunications; appropriating money to the broadband grant program.

The bill was read for the first time and referred to the Committee on Ways and Means.

Pinto, Moller, Richardson, Lesch, Mariani, Loeffler, Hornstein, Edelson, Mann, Cantrell, Bahner, Schultz, Christensen, Davnie, Gomez, Howard, Long, Kunesh-Podein, Liebling, Becker-Finn, Lippert, Freiberg, Sandell, Wazlawik, Noor, Hortman, Winkler, Pryor, Lee, Wolgamott, Huot, Olson, Moran, Hausman and Fischer introduced:

H. F. No. 8, A bill for an act relating to public safety; requiring criminal background checks for firearms transfers; amending Minnesota Statutes 2018, sections 624.7131; 624.7132; proposing coding for new law in Minnesota Statutes, chapter 624.

The bill was read for the first time and referred to the Committee on Ways and Means.

Richardson; Pinto; Lesch; Edelson; Mariani; Moller; Howard; Long; Xiong, T.; Davnie; Gomez; Liebling; Persell; Halverson; Becker-Finn; Lippert; Freiberg; Sandell; Noor; Cantrell; Hortman; Winkler; Pryor; Lee; Schultz; Wolgamott; Olson; Hausman; Moran; Fischer; Morrison; Stephenson; Her; Huot and Carlson, A., introduced:

H. F. No. 9, A bill for an act relating to public safety; enabling law enforcement and family members to petition a court to prohibit people from possessing firearms if they pose a significant danger to themselves or others by possessing a firearm; amending Minnesota Statutes 2018, section 624.713, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 624.

The bill was read for the first time and referred to the Committee on Ways and Means.

Moller, Becker-Finn, Halverson, Mariani, Lesch, Loeffler, Schultz, Christensen, Gomez, Edelson, Hornstein, Bahner, Long, Davnie, Pinto, Kunesh-Podein, Lippert, Freiberg, Sandell, Wazlawik, Noor, Cantrell, Hortman, Winkler, Lee, Pryor, Wolgamott, Sundin, Huot, Lislegard, Ecklund, Olson, Persell, Moran and Fischer introduced:

H. F. No. 10, A bill for an act relating to human rights; clarifying the definition of sexual harassment; amending Minnesota Statutes 2018, section 363A.03, subdivision 43.

The bill was read for the first time and referred to the Judiciary Finance and Civil Law Division.

Lesch, Olson, Winkler, Becker-Finn, Lillie, Schultz, Loeffler, Lippert, Hornstein, Cantrell, Bahner, Christensen, Gomez, Howard, Long, Persell, Richardson, Davnie, Liebling, Halverson, Kunesh-Podein, Mariani, Freiberg, Sandell, Noor, Hortman, Lee, Pinto, Wolgamott, Sundin, Ecklund, Moran, Fischer and Nelson introduced:

H. F. No. 11, A bill for an act relating to employment; providing for earned sick and safe time; authorizing rulemaking; imposing civil penalties; requiring reports; proposing coding for new law in Minnesota Statutes, chapters 177; 181; repealing Minnesota Statutes 2018, section 181.9413.

The bill was read for the first time and referred to the Committee on Labor.

Cantrell; Hortman; Winkler; Xiong, J.; Kunesh-Podein; Moran; Freiberg; Wolgamott; Hansen; Loeffler; Lee; Her; Vang; Masin; Hornstein; Dehn; Liebling; Lillie; Morrison; Edelson; Moller; Bahner; Wazlawik; Hassan; Tabke; Howard; Christensen; Brand; Richardson; Long; Pinto; Mann; Stephenson; Fischer and Lippert introduced:

H. F. No. 12, A bill for an act relating to health; prohibiting conversion therapy with children or vulnerable adults; prohibiting medical assistance coverage for conversion therapy; prohibiting the misrepresentation of conversion therapy services or products; amending Minnesota Statutes 2018, sections 256B.0625, by adding a subdivision; 325F.69, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 214.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Kunesh-Podein, Moran, Hornstein, Lesch, Bahner, Gomez, Olson, Mahoney, Cantrell, Klevorn, Freiberg, Loeffler and Hansen introduced:

H. F. No. 13, A bill for an act proposing an amendment to the Minnesota Constitution, article I, by adding a section; providing for gender equality under the law.

The bill was read for the first time and referred to the Committee on Government Operations.

Nelson, O'Driscoll, Dehn, Nash and Halverson introduced:

H. F. No. 14, A bill for an act relating to elections; transferring and appropriating money for purposes of the Help America Vote Act.

The bill was read for the first time and referred to the Committee on Government Operations.

Stephenson, Hortman, Moller, Becker-Finn and Wazlawik introduced:

H. F. No. 15, A bill for an act relating to public safety; eliminating the voluntary relationship defense for criminal sexual conduct crimes; repealing Minnesota Statutes 2018, section 609.349.

The bill was read for the first time and referred to the Committee on Ways and Means.

Urdahl, Sandstede, Ecklund, Erickson, Gruenhagen, Poppe, Backer, Layman, Daniels, Gunther, Davids, Fabian, Sundin, Torkelson, Haley and Grossell introduced:

H. F. No. 16, A bill for an act relating to education finance; modifying the calculation of small schools revenue; amending Minnesota Statutes 2018, section 126C.10, subdivision 2c.

The bill was read for the first time and referred to the Committee on Ways and Means.

O'Driscoll introduced:

H. F. No. 17, A bill for an act relating to state government; appropriating money from the Help America Vote Act account for certain authorized purposes.

The bill was read for the first time and referred to the Committee on Government Operations.

Fabian, Green and Lueck introduced:

H. F. No. 18, A bill for an act relating to agriculture; appropriating money for wolf and elk depredation payments.

The bill was read for the first time and referred to the Committee on Ways and Means.

Erickson introduced:

H. F. No. 19, A bill for an act relating to education; modifying the world's best workforce performance measures and reports; requiring a report; amending Minnesota Statutes 2018, section 120B.11, subdivisions 1, 1a, 2, 5, 9.

The bill was read for the first time and referred to the Committee on Education Policy.

Erickson introduced:

H. F. No. 20, A bill for an act relating to education; renumbering statutes for intermediate school districts; amending Minnesota Statutes 2018, sections 136D.01; 136D.49; repealing Minnesota Statutes 2018, section 136D.93.

The bill was read for the first time and referred to the Committee on Education Policy.

Erickson introduced:

H. F. No. 21, A bill for an act relating to education; surveying teacher preparation programs; requiring a report.

The bill was read for the first time and referred to the Committee on Education Policy.

Erickson introduced:

H. F. No. 22, A bill for an act relating to education; modifying student testing provisions; amending Minnesota Statutes 2018, section 120B.30, subdivision 1.

The bill was read for the first time and referred to the Committee on Education Policy.

Erickson introduced:

H. F. No. 23, A bill for an act relating to education; codifying teacher code of ethics in statute and repealing code of ethics in rule; requiring school district ethics complaints procedures; amending Minnesota Statutes 2018, section 122A.09, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2018, section 122A.09, subdivision 1; Minnesota Rules, part 8710.2100, subparts 1, 2.

The bill was read for the first time and referred to the Committee on Education Policy.

Erickson introduced:

H. F. No. 24, A bill for an act relating to taxation; property; reimbursing taxing jurisdictions in Mille Lacs County for lost revenue.

The bill was read for the first time and referred to the Committee on Taxes.

West introduced:

H. F. No. 25, A bill for an act relating to taxation; tax delinquency posting; providing guidelines for payment plans; authorizing the commissioner of revenue to require relinquishment of a taxpayer's liquor license only under certain conditions; amending Minnesota Statutes 2018, section 270C.725, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce.

Kunesh-Podein; Moran; Persell; Hausman; Fischer; Gomez; Elkins; Morrison; Carlson, A.; Howard; Vang; Xiong, T.; Her; Claflin and Sauke introduced:

H. F. No. 26, A bill for an act relating to education finance; increasing funding for school-linked mental health services grants; providing funding for full-service community schools; extending funding for support our students grants; funding the homework starts with home program; increasing funding for the collaborative urban educator program; appropriating money; amending Minnesota Statutes 2018, section 245.4889, subdivision 1, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Ways and Means.

Mann; Persell; Olson; Elkins; Carlson, A.; Brand; Vang and Claflin introduced:

H. F. No. 27, A bill for an act relating to health care; requiring the commissioners of human services and commerce to seek federal waivers to permit individuals whose income is greater than the income eligibility limit for MinnesotaCare to purchase coverage through MinnesotaCare through a MinnesotaCare purchase option; requiring a proposal to the legislature.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Carlson, A.; Klevorn; Stephenson; Her; Morrison; Claflin and Sauke introduced:

H. F. No. 28, A bill for an act relating to public safety; requiring criminal background checks for firearms transfers; amending Minnesota Statutes 2018, sections 624.7131; 624.7132; proposing coding for new law in Minnesota Statutes, chapter 624.

The bill was read for the first time and referred to the Committee on Ways and Means.

Her; Carlson, A.; Morrison; Kunesh-Podein; Vang; Howard; Xiong, T.; Brand; Bahner; Claflin and Sauke introduced:

H. F. No. 29, A bill for an act relating to employment; providing for earned sick and safe time; authorizing rulemaking; imposing civil penalties; requiring reports; proposing coding for new law in Minnesota Statutes, chapters 177; 181; repealing Minnesota Statutes 2018, section 181.9413.

The bill was read for the first time and referred to the Committee on Labor.

Moran; Hausman; Persell; Carlson, A.; Her; Morrison; Elkins; Kunesh-Podein; Vang; Claflin and Sauke introduced:

H. F. No. 30, A bill for an act relating to early childhood; creating additional funding and opportunities for children ages birth to three; governing certain programs and funding for prenatal care services, home visiting, early childhood education, and child care assistance; appropriating money; amending Minnesota Statutes 2018, sections 119B.13, subdivision 1; 124D.151, subdivision 6; 126C.05, subdivision 1; 145.928, subdivisions 1, 7; Laws 2017, First Special Session chapter 5, article 8, section 8; proposing coding for new law in Minnesota Statutes, chapters 16A; 145.

The bill was read for the first time and referred to the Committee on Ways and Means.

Kunesh-Podein; Stephenson; Morrison; Carlson, A.; Bahner; Her; Vang; Claflin and Sauke introduced:

H. F. No. 31, A bill for an act relating to human rights; clarifying the definition of sexual harassment; amending Minnesota Statutes 2018, section 363A.03, subdivision 43.

The bill was read for the first time and referred to the Judiciary Finance and Civil Law Division.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 1, A Senate concurrent resolution relating to the adoption of temporary joint rules.

CAL R. LUDEMAN, Secretary of the Senate

### SUSPENSION OF RULES

Winkler moved that the rules be so far suspended so that Senate Concurrent Resolution No. 1 be now considered and be placed upon its adoption. The motion prevailed.

### SENATE CONCURRENT RESOLUTION NO. 1

A Senate concurrent resolution relating to the adoption of temporary joint rules.

*Be It Resolved*, by the Senate of the State of Minnesota, the House of Representatives concurring:

The temporary Joint Rules of the Senate and the House of Representatives for the 90th session are adopted as the temporary joint rules for the 91st session, to be effective until the adoption of Permanent Joint Rules by the Senate and House of Representatives.

Winkler moved that Senate Concurrent Resolution No. 1 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 1 was adopted.

Madam Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 2, A Senate concurrent resolution relating to parking space in the capitol area for members of the Legislature and staff.

CAL R. LUDEMAN, Secretary of the Senate

#### SUSPENSION OF RULES

Winkler moved that the rules be so far suspended so that Senate Concurrent Resolution No. 2 be now considered and be placed upon its adoption. The motion prevailed.

#### SENATE CONCURRENT RESOLUTION NO. 2

A Senate concurrent resolution relating to parking space in the capitol area for members of the Legislature and staff.

*Be It Resolved*, by the Senate of the State of Minnesota, the House of Representatives concurring:

The Commissioner of Administration shall reserve all parking space necessary on the Capitol grounds, Capitol Approach, in the State Office Building ramp, and elsewhere in the capitol area for the use of the members and staff of the Legislature for the 91st session of the Legislature, allowing reasonable space for parking to the general public having business at the Capitol. The Committee on Rules and Administration of the Senate and the Committee on Rules and Legislative Administration of the House of Representatives may designate necessary personnel to work with the Commissioner of Administration in this matter.

The Secretary of the Senate and the Controller of the House of Representatives may deduct from the check of any legislator or legislative employee in each year of the 91st session of the Legislature a sum adequate to cover the exercise of the parking privilege defined in this resolution in conformity with the practice of the Commissioner of Administration.

Winkler moved that Senate Concurrent Resolution No. 2 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 2 was adopted.

Madam Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 3, A Senate concurrent resolution relating to adjournment for more than three days.

CAL R. LUDEMAN, Secretary of the Senate

#### SUSPENSION OF RULES

Winkler moved that the rules be so far suspended so that Senate Concurrent Resolution No. 3 be now considered and be placed upon its adoption. The motion prevailed.

#### SENATE CONCURRENT RESOLUTION NO. 3

A Senate concurrent resolution relating to adjournment for more than three days.

*Be It Resolved* by the Senate of the State of Minnesota, the House of Representatives concurring:

1. Upon their adjournments on Thursday, January 17, 2019, the Senate and House of Representatives may each set its next day of meeting for Tuesday, January 22, 2019.

2. Each house consents to adjournment of the other house for more than three days.

Winkler moved that Senate Concurrent Resolution No. 3 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 3 was adopted.

#### ADJOURNMENT

Winkler moved that when the House adjourns today it adjourn until 3:30 p.m., Monday, January 14, 2019. The motion prevailed.

Winkler moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:30 p.m., Monday, January 14, 2019.

PATRICK D. MURPHY, Chief Clerk, House of Representatives